

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

D.V.D.; M.M.; E.F.D.; and O.C.G.,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY;  
Kristi NOEM, Secretary, U.S. Department of  
Homeland Security, in her official capacity; Pamela  
BONDI, U.S. Attorney General, in her official  
capacity; and Antone MONIZ, Superintendent,  
Plymouth County Correctional Facility, in his official  
capacity,

Defendants.

Case No. 25-cv-10676-BEM

**JOINT PROPOSED DISCOVERY PLAN  
REGARDING ECF NO. 83**

Pursuant to the Court’s Electronic Order of April 28, 2025, the parties hereby file this proposed discovery plan “that addresses (1) the scope and timing of discovery related to the factual circumstances surrounding the removal of the four alleged class members identified in Defendants’ April 23, 2025 response (Dkt. [72] ) that occurred after the issuance of this Court's temporary restraining order on March 28, 2025; (2) the relationship between the Department of Homeland Security and the Department of Defense, including, but not limited to, each agency's role with regards to removals, the management of Guantanamo Bay, and the March 7, 2025 memorandum of understanding between the two agencies; and (3) the facts in the declaration of Tracy J. Huettl (Dkt. 72-1).” Dkt. 83 (Docket Text).

### **Plaintiffs' Proposed Discovery Plan**

Plaintiffs seek to complete compliance discovery by July 10, 2025, and propose the following schedule:

By May 12, 2025:

- Per the District Court's April 28, 2025 Order, Defendants will identify any individuals with a final order of removal that were removed on the two flights that occurred on or around March 31, 2025, and April 13, 2025, and any additional flights to remove noncitizens from Guantanamo Bay to third countries that occurred prior to the date of Defendants' response

By May 12, 2025:

- Parties will electronically serve third party subpoenas for Requests for Production (RFPs) and depositions, including a subpoena for a Rule 30(b)(6) deposition of the Department of Defense (DOD) and a maximum of 2 individual depositions of DOD employees, regarding the topics set forth in Dkt. 83.
- Responses due by June 11, 2025.

By May 14, 2025:

- Parties' counsel will electronically serve RFPs, Requests for Admission (RFAs), and Interrogatories (ROGs) regarding the topics set forth in Dkt. 83. Parties may submit up to 25 Requests for Admission, 25 Interrogatories, and 2 sets of Requests for Production, which will not count against the general limits for discovery requests in this matter.
- Responses would be due by May 28, 2025.

By May 21, 2025:

- Parties will submit a protective order to cover the exchange of confidential information to the Court.

Between May 29, 2025, and June 26, 2025:

- Parties will take depositions related to the topics set forth in Dkt. 83, including Fed. R. Civ. P 30(b)(6) depositions of DHS and DOD.

By July 3, 2025:

- Parties will submit any additional written discovery requests.
- Responses would be due by July 10, 2025.

#### **Defendants' Proposal**

Defendants propose that discovery within the scope identified in this Court's order (ECF No. 83) be limited to the following:

1. Ten Requests for Admissions served on Defendants.
2. Ten Interrogatories served on Defendants.
3. Five Requests for Production served on Defendants.

Defendants request that they be given thirty days to respond to these discovery requests.

Defendants do not agree to any depositions or discovery served on non-parties.

Respectfully submitted,

s/Trina Realmuto

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

s/ Trina Realmuto

Trina Realmuto

National Immigration Litigation Alliance

Dated: May 5, 2025